

January15, 2004

To:

The Board of Governors of Exhibition Place

CNEA Executive Committee & Board of Directors

From:

Dianne Young

General Manager & CEO

David Bednar

General Manager/CNE

Subject:

CNEA Haines Mural Agreement

Recommendation:

It is recommended that the Board approve of entering into an agreement with the Canadian National Exhibition Association ("CNEA") for three years (April 1, 2003 to March 31, 2006) for the loan of eight Haines Murals (the "Murals") to be displayed in the National Trade Centre on the terms and conditions set out in this report and such other terms and conditions satisfactory to the General Manager & CEO and the City Solicitor.

Background:

At its meeting of February 24, 1999, the Board approved an agreement with the CNEA with respect to the loan of eight Haines Murals that are currently displayed in the National Trade Centre. The term of this agreement expired on March 31, 2003.

Discussion:

The Haines Murals were commissioned by the CNEA for installation around the base of the dome in the Government Building (now Medieval Times). Frederick Haines and his students from the Ontario College of Art completed the eight Murals, also known collectively as the "Settlement of Canada," in 1929. The Murals hung in that building until 1996 when they were removed and restored by Fine Art Conservation and Restoration (cost of \$41,700 borne by the NTC Project budget) and re-installed in 1997 in their current home, the eastern side of the NTC

In 1999, the Board and the CNEA entered into an Agreement outlining the terms and conditions of the loan and location of these Murals in the NTC and this report is recommending a further agreement, generally on the same terms and conditions which are as follows:

- (a) Term: 3 years commencing April 1, 2003.
- (b) Ownership of the Murals: The ownership of the Murals shall remain with the CNEA.



- (c) Use by CNEA: If the CNEA requests the use of the Murals at any time during the Term, the Murals will be removed from and returned to the NTC at the cost and expense of the CNEA.
- (d) Insurance: The Board will provide necessary insurance coverage for the Murals at all times.
- (e) Cost of Maintenance: The Board will maintain the Murals at the Board's expense at an appropriate level of maintenance, as determined by the Conservator chosen by the Association, acting reasonably.
- (f) Standard of Care: The Board will take all reasonable precautions as indicated by the Conservator: (i) to ensure that the Murals are protected from interference from the public; (ii) to protect the Murals from extreme variances in temperature; and, (iii) to protect the Murals from damage from fire and water including moving the Murals to protect them from fire and water. To regularly inspect the Murals for signs of deterioration and/or damage and to immediately inform the CNEA if any such signs are detected.
- (g) Relocating the Murals: If the Murals are moved at the request of the Board they will be moved and replaced at the cost and expense of the Board under the supervision of the Conservator chosen by the CNEA.
- (h) Inspection by CNEA: The Board, at all reasonable times, will allow representatives of the CNEA, at its own expense, access to the National Trade Centre in order to inspect the Murals.
- (i) Other Terms and Conditions as are satisfactory to the City Solicitor, General Manager & CEO and General Manager, CNEA.

This report will be considered by the CNEA Board at its meeting of January 29, 2004. Should the CNEA recommendation change, the Corporate Secretary will report any changes to the Board at its March meeting.

Conclusion:

This report recommends that the Board approve a three-year agreement between the Board and the CNEA for the loan of the Murals.

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